



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/660,169

09/11/2003

Robert D. Nuckolls

P-9236

7593

24209

7590

08/09/2007

GUNNISON MCKAY & HODGSON, LLP

1900 GARDEN ROAD

SUITE 220

MONTEREY, CA 93940

EXAMINER

PAN, DANIEL H

ART UNIT

PAPER NUMBER

2183

MAIL DATE

DELIVERY MODE

08/09/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



UNITED STATES DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450

CP

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10660169	9/11/03	NUCKOLLS ET AL.	P-9236

GUNNISON MCKAY & HODGSON, LLP
1900 GARDEN ROAD
SUITE 220
MONTEREY, CA 93940

EXAMINER

Daniel Pan

ART UNIT	PAPER
----------	-------

2183

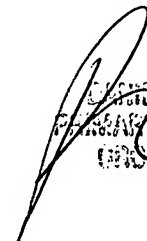
20070731

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

See attached non-responsive amendment notice.


DANIEL H. PAN
PATENT EXAMINER
GROUP

Notice of Non-responsive Amendment

The reply filed on 05/07/07 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): In the office action on 02/02/07, pages 9-11, claims 35,41 were rejected under 35 U.S.C. 103(a) as being unpatentable over White (5,996,071) in view of Smith (4,370,711) and claims 38-43 were rejected under 35 U.S.C. 103(a) as being unpatentable over White (5,996,071) in view of Chang (5,687,360). The reasons of obviousness were also given. However, no response or discussions regarding Smith and Chang can be found in applicant's response. In applicant's remark, applicant only "the additional material relied upon from secondary reference does not correct the deficiencies of White with respect to the independent claims from which these claims depend." No specific discussions regarding the "secondary reference" can be found in applicant's remarks. Therefore, it is non-responsive amendment. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dan Pan whose telephone number is 571 272 4172. The examiner can normally be reached on M-F from 8:30 AM to 4:00 PM.

Art Unit: 2183

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chan, can be reached on 571 272 4162. The fax phone number for the organization where this application or proceeding is assigned is 703 306 5404.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

21 Century Strategic Plan

GABRIEL H. PAN
PRIMARY EXAMINER
7/13/07